

4.2 AGRICULTURAL AND FOREST RESOURCES

This section describes existing agricultural and forest uses in unincorporated Amador County, evaluates the significance and quality of agricultural land, and analyzes the potential impacts the Draft General Plan would have on agricultural and forest resources.

Additional information on existing land uses in unincorporated Amador County and proposed land use designations related to agricultural and forest resources is provided in Chapter 4.10, “Land Use and Planning.”

4.2.1 REGULATORY SETTING

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

No federal plans, policies, regulations, or laws pertain to the analysis of agricultural and forest resources impacts.

STATE PLANS, POLICIES, PROGRAMS, REGULATIONS, AND LAWS

California Important Farmland Inventory System and Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) sponsors the FMMP and is also responsible for establishing agricultural easements in accordance with Public Resources Code Sections 10250–10255. Important Farmland maps classify land into one of eight categories, which are defined as follows (DOC 2007):

- ▶ Prime Farmland—Land that has the best combination of features for the production of agricultural crops.
- ▶ Farmland of Statewide Importance—Land other than Prime Farmland that has a good combination of physical and chemical features for the production of agricultural crops.
- ▶ Unique Farmland—Land of lesser quality soils used for the production of the state’s leading agricultural cash crops.
- ▶ Farmland of Local Importance—Land that is of importance to the local agricultural economy.
- ▶ Grazing Land—Land with existing vegetation that is suitable for grazing.
- ▶ Urban and Built-up Lands—Land occupied by structures with a density of at least one dwelling unit per 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public utility structures, and other developed purposes.
- ▶ Land Committed to Nonagricultural Use—Vacant areas; existing lands that have a permanent commitment to development but have an existing land use of agricultural or grazing lands.
- ▶ Other Lands—Land that does not meet the criteria of the remaining categories.

The designations for Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are defined together under the terms “Agricultural Land” and “Farmland” in CEQA (Public Resources Code Section 21060.1 and State CEQA Guidelines Appendix G).

Williamson Act Contracts

The California Land Conservation Act of 1965, commonly known as the Williamson Act, enables local governments to form contracts with private landowners to promote the continued use of the relevant land in agricultural or related open space use. In return, landowners receive property tax assessments that are based on farming and open space uses instead of full market value. Local governments have historically received an annual subvention (subsidy) of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

The Williamson Act empowers local governments to establish “agricultural preserves” consisting of lands devoted to agricultural uses and other compatible uses. When such preserves are established, the locality may offer owners of agricultural land that is included in the preserves the opportunity to enter into annually renewable contracts that restrict the land to agricultural use for at least 10 years. In return, the landowner is guaranteed a relatively stable tax base, founded on the value of the land for agricultural use only and unaffected by its development potential.

Cancellation of a Williamson Act contract involves an extensive review and approval process, in addition to payment by the landowner of fees of up to 12.5% of the property value. The local jurisdiction approving the cancellation must make *either one* of the following findings:

- ▶ that the cancellation is consistent with the purpose of the California Land Conservation Act (Section 51282(a) of the California Government Code), or
- ▶ that the cancellation is in the public interest (Section 51282(b) of the California Government Code).

To support the finding that the cancellation of a Williamson Act contract is consistent with the purpose of the California Land Conservation Act, all of the following sub-findings must be made:

- ▶ that the cancellation is for land on which a notice of nonrenewal has been served in accordance with Section 51245,
- ▶ that cancellation is not likely to result in the removal of adjacent lands from agricultural use,
- ▶ that cancellation is for an alternative use that is consistent with the applicable provisions of the city or county general plan,
- ▶ that cancellation will not result in discontinuous patterns of urban development, and
- ▶ that there is no proximate non-contracted land that is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

To support the finding that the cancellation of a Williamson Act contract is in the public interest, both of the following sub-findings must be made:

- ▶ that other public concerns substantially outweigh the objectives of the Williamson Act; and
- ▶ that there is no proximate non-contracted land that is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

Williamson Act contracts can be rescinded when the County and the property owner simultaneously place the same property under a new open-space contract or an open-space easement agreement. Prior to rescission and reentry of an open-space contract or open-space easement agreement, the Board of Supervisors must determine

that the parcel(s) are large enough to provide the open-space benefits for which they are being restricted. Any use or development on lands subject to an open-space contract or open-space easement agreement entered under this rescission and reentry process must comply with the Williamson Act principles of compatibility or be of benefit to the open-space use of the land. New development on open-space easement agreements is prohibited during the time period remaining on the contract at its rescission, unless the use is compatible or related to the open-space use.

Z'berg-Nejedly Forest Practice Act of 1973

The Z'berg-Nejedly Forest Practice Act of 1973 is the primary forest regulation statute in California and is generally referred to as the Forest Practice Act (FPA). The FPA provides for a State Board of Forestry to manage forest practices and resources, and the board developed Forest Practice rules to implement the FPA.

The California Department of Forestry and Fire Protection (CAL FIRE) enforces the requirements of the FPA, and serves as lead agency for projects which fall within the scope of the FPA. If timber operations (as defined by PRC Section 4527) are part of a project (or affected by a project), these operations must be approved by CAL FIRE. The FPA requires owners of nonfederal timberland to apply for a Timber Conversion Permit (TCP) for a project which would convert timberland to another use. Certain exemptions apply, including exemptions for small areas of conversion (less than 3 acres) and for utility rights-of-way. If CAL FIRE determines that a TCP is required, a Timber Harvesting Plan (THP) or notice of exemption may also be required (CAL FIRE 2012).

The Public Agency, Public and Private Utility Right of Way Exemption may apply for timber harvesting or removal which is associated with construction and maintenance of gas, water, sewer, oil, electric, and communications rights-of-way. 14 CCR 1104.1(d), (e), (f), and (g) contain specifications for right-of-way widths and clearances. If the harvest is a timber operation under PRC 4527, a notice of exemption must be filed by the timber owner. Any harvested trees must be removed by a licensed timber operator. If the harvested trees are not sold, a notice of exemption is not required. The owner of the harvested timber is responsible for all yield taxes.

Timberland Production Zone

Based on the FPA and the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976, Timberland Production Zones (TPZs) were established to preserve and protect timberland from conversion to other uses and avoid land use conflicts with timber producing areas. The TPZs were established in 1976 on lands ~~for which timber production and accessory uses would be~~ which were assessed for growing and harvesting timber as the highest and best use. The Timberland Productivity Act of 1982 (Government Code Sections 51110-51104) later formalized the state's policy in favor of sustainable harvest, focusing on the long-term availability of timber resources. ~~Five compatible uses are identified for TPZ lands, including:~~

- ▶ ~~watershed management;~~
- ▶ ~~fish and wildlife management, including hunting and fishing;~~
- ▶ ~~uses related to the growing, harvesting, and processing of forest products;~~
- ▶ ~~construction, alteration, or maintenance of utility facilities; and~~
- ▶ ~~grazing.~~

Pursuant to Section 51104(h), "compatible use" in a TPZ "is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following, unless a specific instance such a use would be contrary to the preceding definition of compatible use:

- (1) Management for watershed.
- (2) Management for fish and wildlife habitat or hunting and fishing.
- (3) A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas.

- (4) The erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities.
- (5) Grazing.
- (6) A residence or other structure necessary for the management of land zoned as timberland production.”

Lands zoned TPZ must be maintained for timber production for 10 years following the zoning declaration; an additional year is added to the initial term each year on the anniversary of the designation. If a property owner petitions to have their land rezoned out of TPZ, the land may be required to remain in TPZ for ten years after the request is made. The minimum parcel size for TPZ zoning is 160 acres, although smaller parcels may be possible if a joint Timber Management Plan is prepared.

REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

Amador County Right-to-Farm Ordinance

The Agricultural Lands and Operations Disclosure (Ordinance Code 1504, Title 19, Chapter 19.80) implements the County’s Right-to-Farm ordinance. The purpose of this ordinance is to promote the general health, safety, and welfare of the County and to preserve and protect those lands, however zoned, where agricultural operations do or may occur; to support and encourage the continued agricultural operations in the County; and to warn prospective purchasers and residents of property adjacent to agricultural operations of the inherent problems associated with the agricultural uses, including but not limited to, noise, dust, odor, smoke, fertilizers, and pesticides that may accompany agricultural operations.

Sellers of any parcel located in the unincorporated area of the County, however zoned, and whether improved or unimproved, are required to disclose the Right-to-Farm ordinance provisions to prospective buyers as part of real estate transactions.

4.2.2 ENVIRONMENTAL SETTING

AGRICULTURAL RESOURCES

Agriculture is important to Amador County because it contributes to the local economy, helps define the County’s character, and provides access to a local food source. Amador County identifies eight major agricultural areas: Willow Springs, Ione Valley, Jackson Valley, Shenandoah Valley, the Fiddletown area, the Ridge Road area, Clinton Road/Tabeau area, and the Shake Ridge Road area. Other agricultural and timber areas of the County are generally characterized as the Rangeland and Timberland areas. Each of these areas has unique features that support a variety of agricultural land uses. (Amador County 2006)

Land for farming and ranching must be preserved in parcels sizes that are economically viable. According to the USDA, a farm is any place from which \$1,000 or more of agricultural products were sold, or normally would have been sold, during the census year. In general, there has been a trend involving an increase in the number of farms and a decrease in farm size in Amador County. Between 2002 and 2007, the number of farms increased from 451 to 478, or 6%. The overall acreage of farmland decreased during the same timeframe from 194,144 acres to 163,482 acres, or 16%. (USDA 2007)

Crop Production

The crop reports prepared by the Amador County Agriculture Department break down the County’s crop and livestock values into six categories: fruit and nut crops; field crops; livestock and poultry; livestock and poultry products; miscellaneous; and timber and related products. In 2010, the fruit and nut crops category brought in the highest values, with \$10,536,189 overall; \$10,383,149 of which came from wine grape production alone.

The livestock and poultry category brought in \$7,518,187 in 2010. Cattle and calves brought in about 87 percent of the total value of livestock and poultry.

Field crops, including hay and alfalfa; hay and grain; hay, other; irrigated pasture; pasture and range; and miscellaneous (including Sudan Grass and corn) had a total value of \$3,933,815, led by the pasture and range subcategory. The timber and related products category had a value of \$719,056; other miscellaneous crops and agricultural products had values of \$976,777 million in 2010.

Table 4.2-1 shows available data of the value of various crops in Amador County. Fruit and nut crops, particularly wine grapes and walnuts, accounted for 44.4% of the total agricultural commodities in the County in 2010. Livestock, poultry, and related products (31.7%); field crops (16.6%); timber and related products (3.0%); and other miscellaneous agricultural commodities (4.1%) account for the remaining agricultural commodities in the county.

Agricultural Product	2010 Acreage
Wine Grapes	3,429
Walnuts	292
Misc. Fruits and Nuts	17
Hay (including alfalfa, grain)	1,892
Irrigated Pasture	1,700
Pasture and Range	156,801
Misc. Field Crops	267
Total:	164,398
Notes: Acreages rounded to the nearest whole acre. Source: Amador County 2010	

Amador County Farmland Conversion

In 2010, Amador County had approximately 198,264 acres of soils suitable for agricultural uses, although not necessarily in agricultural production. The Amador County Important Farmland map, published by DOC's Division of Land Resource Protection, designates 3,211 acres of Prime Farmland, 1,421 acres of Farmland of Statewide Importance, and 3,335 acres of Unique Farmland. The Important Farmland Map also designates 1,864 acres of Farmland of Local Importance (DOC 2010). The DOC designates 188,433 acres of grazing land in the County. Exhibit 4.2-1 illustrates the areas of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland in Amador County (DOC 2010). The County's supply of agricultural land, while increasing in some categories, has experienced a net decrease since 2000. As shown in Table 4.2-2, between 2000 and 2010 the amount of agricultural land decreased by 4,092 acres.

Important Farmland Category	2000	2002	2004	2006	2008	2010
Prime Farmland	3,873	3,964	3,831	3,610	3,541	3,211,
Farmland of Statewide Importance	1,849	1,973	1,849	1,717	1,573	1,421

**Table 4.2-2
Summary of Agricultural Land Conversion in Amador County, 2000-2010**

Important Farmland Category	2000	2002	2004	2006	2008	2010
Unique Farmland	3,054	3,491	3,755	3,596	3,678	3,335
Farmland of Local Importance	2,789	1,575	1,255	1,272	1,485	1,864
Grazing	190,791	191,110	188,218	188,569	188,115	188,433
Agricultural land total	202,356	202,113	198,908	198,764	198,392	198,264
Source: DOC 2010						

Concentrations of Prime Farmland and Farmland of Statewide Importance and some small areas designated as Unique Farmland are located in the Shenandoah Valley portions of the County and areas south and west of Ione. Between 1996 and 2002, conversions of marginal lands to agricultural lands resulted in overall increases in Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. Most of these conversions were localized to the Shenandoah Valley area where grazing land was planted with new vineyards (DOC 2000, 2002). Decreases of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland resulted from boundary adjustments; irrigated farmland left idle for three or more update cycles; and development of new homes, businesses, and recreational facilities in and adjacent to Camanche, the Shenandoah Valley, and the cities of Ione, Jackson, and Sutter Creek (DOC 2004, 2006).

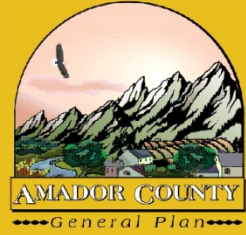
Farmland of Local Importance is land of importance to the local economy, as defined by each county’s local advisory committee and adopted by its Board of Supervisors. The FMMP identifies Farmland of Local Importance in Amador County as land that is currently in agricultural production and that is providing an economic return equal to that from the prime soil types (DOC 2012). Farmland of Local Importance is scattered throughout the County, with a majority of land located east of SR 49. Changes in the acreage of Farmland of Local Importance are primarily caused by boundary adjustments, the redistribution of categories in 2002, and irrigated farmland left idle for three or more update cycles.

Grazing land is concentrated primarily in the western and central portions of the County. Increases in Grazing land between 2000 and 2002 resulted from boundary adjustments, redistribution of categories in 2002, and irrigated farmland left idle for three or more update cycles (DOC 2000, 2002). Later decreases in Grazing land resulted from planting of new vineyards and development of new homes, businesses, and recreational facilities in and adjacent to Camanche, the Shenandoah Valley, and the cities of Ione, Jackson, and Sutter Creek (DOC 2004b, 2006b).

Williamson Act Contracts

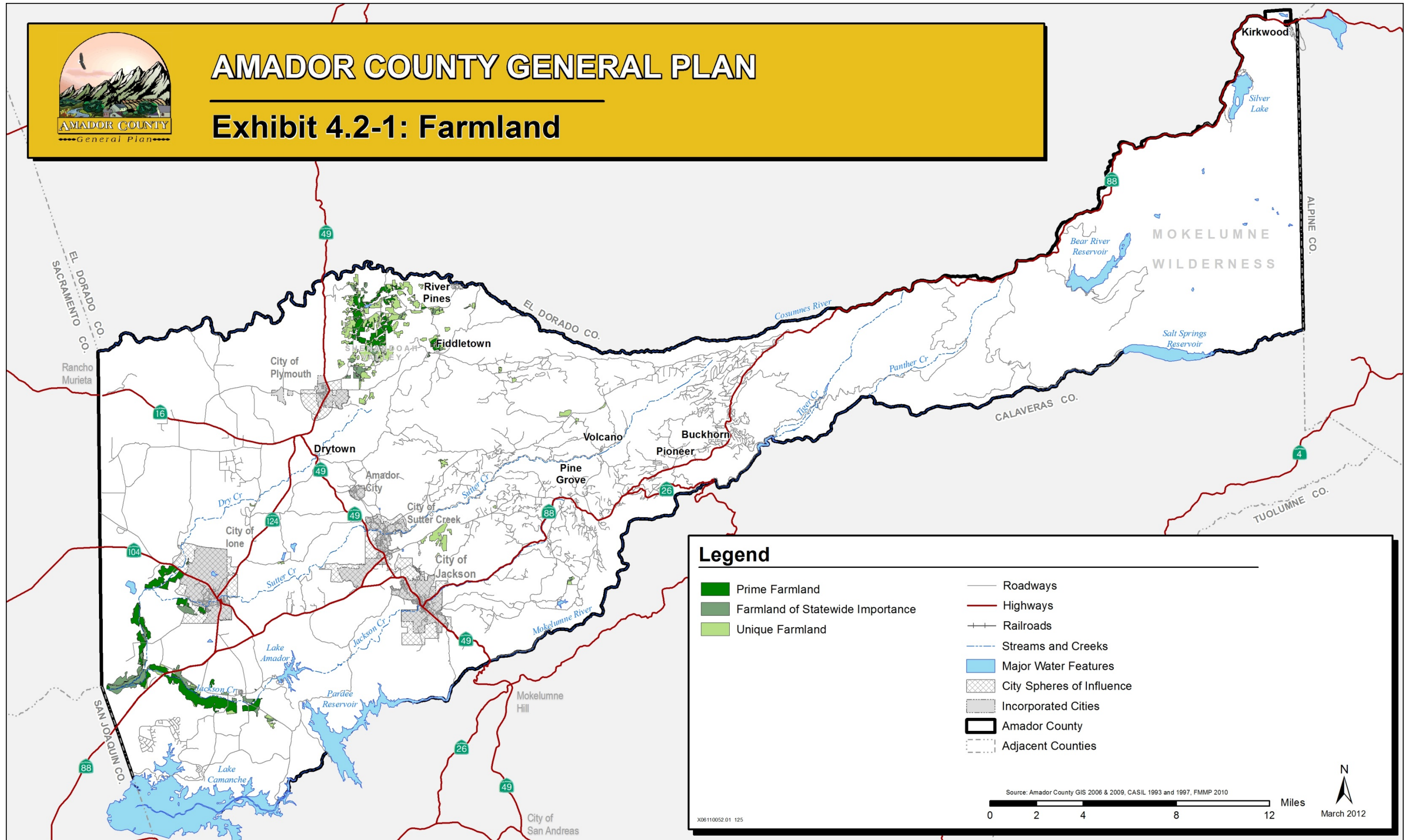
As shown on Exhibit 4.2-2, properties under Williamson Act contracts are scattered throughout the western and central portions of the County and surrounding cities, including Ione, Jackson, Plymouth, and Sutter Creek. Amador County had approximately 93,623 acres of land under Williamson Act contracts in 2009. Of these lands, approximately 2,735 acres were in the nonrenewal process. The nonrenewal process is the most common mechanism for termination of Williamson Act contract lands and most Williamson Act contracts are terminated through nonrenewal expiration. In Amador County, approximately 376 acres of land under of Williamson Act contracts entered the nonrenewal process in 2009, and the amount of contract land terminated through nonrenewal expirations was approximately 679 acres in 2009. (DOC 2010b)

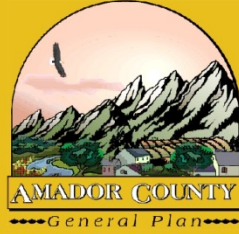
Non-agricultural development of Williamson Act lands prior to contract expiration requires cancellation of the contracts pursuant to Government Code Section 51282 (see “Regulatory Setting,” above). No Williamson Act contracts in Amador County were cancelled in 2009. (DOC 2010b)



AMADOR COUNTY GENERAL PLAN

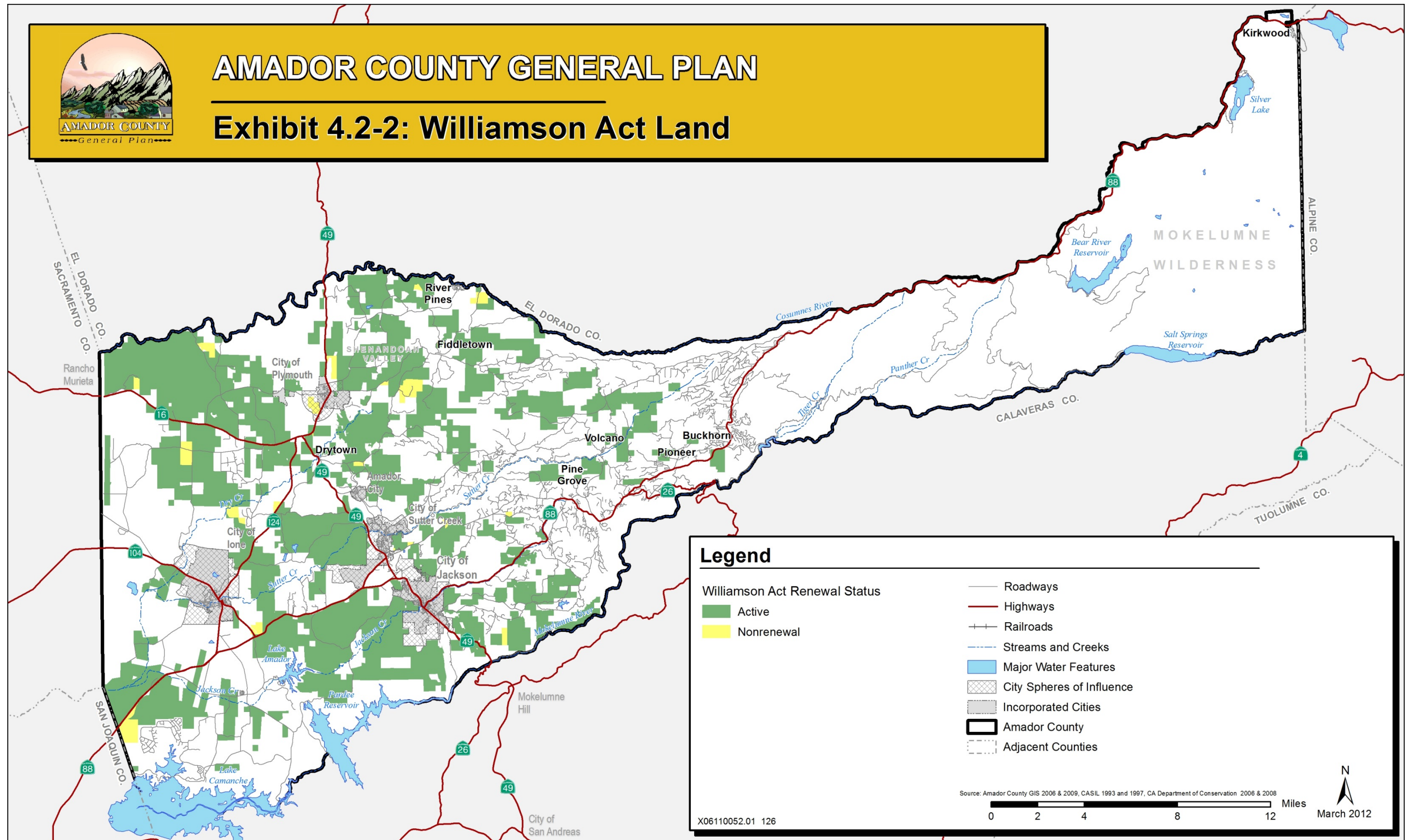
Exhibit 4.2-1: Farmland





AMADOR COUNTY GENERAL PLAN

Exhibit 4.2-2: Williamson Act Land



Legend

Williamson Act Renewal Status		— Roadways
■ Active	— Highways	— Railroads
■ Nonrenewal	— Streams and Creeks	■ Major Water Features
	■ City Spheres of Influence	■ Incorporated Cities
	■ Amador County	■ Adjacent Counties

Source: Amador County GIS 2006 & 2009, CASIL 1993 and 1997, CA Department of Conservation 2006 & 2008

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FOREST RESOURCES

California law defines forestland as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (Public Resources Code Section 12220[g]). State law defines timberland as “land, other than land owned by the federal government and land designated by the board as experimental forestland, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees” (Public Resources Code Section 4526). The criteria used by the U.S. Forest Service (USFS) to determine whether a forestland qualifies as timberland is whether the land is capable of growing 20 cubic feet or more of industrial wood per acre per year (CAL FIRE 2003).

CAL FIRE’s Fire and Resource Assessment Program (FRAP) defines California’s forestlands as those lands that currently have at least 10 percent cover of live trees as interpreted from satellite imagery. This definition includes not only conifer and hardwood forests but also considerable areas of woodlands (chaparral and shrub lands are excluded). FRAP has made estimates of forestland based solely on the 10 percent cover rule. This estimate varies from published USFS forestland estimates. The USFS includes forestlands that were stocked in the past in their estimates. (CAL FIRE 2003)

FRAP data are combined and available as the California Wildlife Habitat Relationship System (CWHR) database. A total of 101,190 acres of coniferous habitats and 139,821 acres of woodland habitats are mapped in Amador County. CWHR data are presented in more detail, including illustrative exhibits, in Chapter 4.4, “Biological Resources.”

The USFS provides acreage estimates for forestland and timberland by County; however, spatial estimates are not available, and these data cannot be used to describe the specific location of Forestlands on the ground. The USFS’s 2001-2009 estimates for Amador County are summarized in Table 4.2-3, with the types of forest cover presented in Table 4.2-4.

Table 4.2-3 Forest- and Timberland in Amador County, 2001-2009			
	Forest Service	Other Ownership	Total
Forestland Acres	53,382	165,441	218,823
Timberland Acres	30,599	120,292	150,890
Source: USFS 2012			

Table 4.2-4 Forest Types in Amador County, 2001-2009			
Forest Type	Forest Service	Other Ownership	Total Acreage
Ponderosa Pine Group	11,508	8,258	19,766
Fir/Spruce/Mountain Hemlock Group	8,522	--	8,522
Lodgepole Pine Group	6,717	4,597	11,315
California Mixed Conifer Group	20,864	33,903	54,767
Alder/Maple Group	--	1,212	1,212
Western Oak Group	5,771	89,605	95,376
Other Hardwoods Group	--	12,104	12,104
Nonstocked	--	15,761	15,761
Total Forestland	53,382	165,441	218,823
Source: USFS 2012			

Timber Production Zones

Commercially viable Timberland is a subset of forestlands; not all forested areas are suitable for sustainable commercial harvest. Amador County has designated about 29,169 acres of land TPZ in accordance with the Forest Practices Act, Forest Taxation Reform Act, and Timber Productivity Act (these regulations are described in more detail in Section 4.2.1, “Regulatory Setting”). In Amador County, all TPZ lands are zoned “TPZ.” The only compatible general plan land use designation for TPZ zoning is General Forest (GF). Exhibit 4.2-3 illustrates the location of TPZ lands.

4.2.3 IMPACTS AND MITIGATION MEASURES

ANALYSIS METHODOLOGY

The analysis of potential impacts on agricultural and forest resources resulting from the adoption and implementation of the Draft General plan is based on a review of documents pertaining to the planning area, including the Amador County General Plan Update working paper for agricultural resources (2006), the Amador County agricultural crop and livestock report (2010), the USDA Agricultural Census for Amador County (2007), and the California Land Conservation (Williamson Act) 2010 Status Report (2010), and field and aerial photographic review. In addition, the DOC’s Important Farmland (2010) and Williamson Act (2008) maps for Amador County were used to determine the agricultural significance of the lands in the planning area.

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the State CEQA Guidelines, an impact to agriculture resources is considered significant if implementation of the Draft General Plan would do any of the following:

- ▶ convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- ▶ conflict with existing zoning for agricultural use or a Williamson Act contract;
- ▶ involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

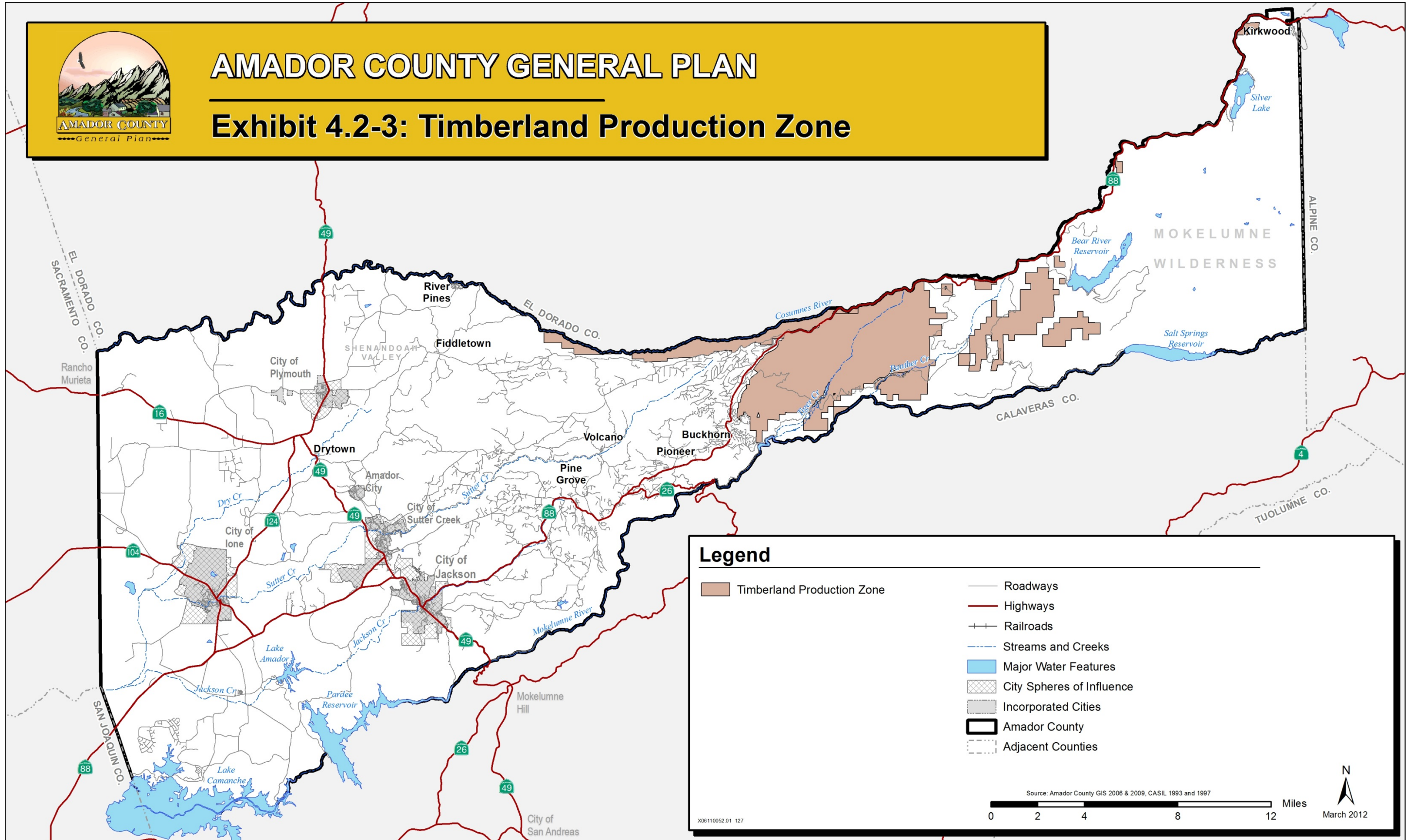
An impact to forest resources is considered significant if implementation of the Draft General Plan would do any of the following:

- ▶ conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production;
- ▶ result in the loss of forestland or conversion of forestland to non-forest use; or
- ▶ involve other changes in the existing environment which, due to their location or nature, could result in conversion of forestland to non-forest use.



AMADOR COUNTY GENERAL PLAN

Exhibit 4.2-3: Timberland Production Zone



Legend

- Timberland Production Zone
- Roadways
- Highways
- Railroads
- Streams and Creeks
- Major Water Features
- City Spheres of Influence
- Incorporated Cities
- Amador County
- Adjacent Counties

Source: Amador County GIS 2006 & 2009, CASIL 1993 and 1997

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The County received comments on the NOP from the Foothill Conservancy proposing several additional thresholds, including thresholds related to extension of urban services or infrastructure into agricultural or forestland, creating conflicts by expanding interface between urban development and agricultural lands, reducing the availability of water to agriculture, increasing the threat of wildfire in forested areas, resulting in unsustainable levels of harvesting of forest products, or interfering with federal land uses or management.

The effects of infrastructure expansion on agricultural and forestland in general are considered in Impact 4.2-3 and Impact 4.2-5. The County does not operate urban services (e.g., water, sewer, electricity) and the Draft General Plan does not specify how these services will be provided in the planning area in the future at sufficient detail to provide detailed analysis.

With respect to conflicts related to increased interface between urban development and agricultural or forestlands, the discussion under Impact 4.2-3 and Impact 4.2-5 qualitatively considers the potential for conversion of agricultural or forestlands due to conflict with incompatible uses, including increased interface.

An analysis of future water supply is provided in Chapter 4.13, "Public Services and Utilities." There is no evidence that implementation of the Draft General Plan would reduce water deliveries to agricultural users. In the absence of more specific information from the County's water purveyors, it would be speculative to consider the effect of potential changes in water delivery on agricultural water users in particular.

The only general plan land use designation that is compatible with the TPZ zone district is General Forest (GF). The Draft General Plan does not propose any land use changes which would place GF-designated lands in a different land use designation; therefore, the potential for wildfires in TPZ as a result of new land uses would be low. The potential for wildfires to reduce the harvesting of forest products to unsustainable levels would be low.

The Draft General Plan does not propose any new land uses on federal lands; therefore, implementation of the Draft General Plan would not interfere with federal land uses or management.

The Foothill Conservancy's NOP comments also request figures and tables comparing the locations of lands proposed for "urban uses" and agricultural lands. In the impact analysis discussions, the County has provided tables and figures to illustrate the analysis, including locations of Williamson Act and TPZ lands, and acreage of lands under Williamson Act contracts and acres of Important Farmland which would be converted to nonagricultural use. However, these discussions, tables, and figures do not follow the format or all of the suggestions in the NOP comments (e.g., the County did not use the U-plan model to conduct its analysis, and other appropriate techniques for projecting future land use change have been used, as discussed in the Land Use and Alternatives sections of this EIR), and insufficient data were available to overlay existing and planned utilities and roadways as requested by the commenter).

IMPACT ANALYSIS

IMPACT 4.2-1 Conversion of Farmland. *Under the Draft General Plan, future development, including residential dwellings or lot splits within the RR (Rural-Residential), RL (Residential Low Density) and AT (Agricultural Transition) land use designations, future mining activities within the MRZ (Mineral Resource Zone) designated areas, future public facilities in the PS (Public Service) designation, and construction of roadways and utilities, could result in the conversion of ~~307~~ 310.5 acres of Farmland to nonagricultural uses. This impact would be **significant.***

Implementation of the Draft General Plan would apply several land use designations to areas designated as Farmland (defined here as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance). Although the majority of Farmland would be designated AG (Agricultural General), with agriculture as the primary use, some Farmland areas would be designated for other uses. As shown in Exhibit 4.2-1 and summarized in Table 4.2-5, Farmland is also present within the RR (Rural-Residential), AT (Agricultural Transition), RL

(Residential Low Density), PS (Public Service) and MRZ (Mineral Resource Zone) land use designations. The RR and RL land use designations are intended primarily for residential land uses and the AT land use designation represents areas transitioning from agricultural to residential land uses and allows for limited agricultural activities that could provide supplementary agricultural income. Because residential uses would be the primary land uses within the RR and AT, these designations would not, in most cases, support economically viable agricultural activities. In addition, lot splits and development of additional individual residential uses would also be possible in AT- and RR-designated lands throughout the planning area.

The MRZ land use designation identifies areas of significant mineral resource deposits and protects these areas from incompatible land use. Future mining activities could occur within these areas, which would remove agricultural land from production. It should be noted that agricultural land uses are permitted under this land use designation and would likely continue until mining activities occurred. The PS land use designation is used for public facilities.

Important Farmland Category	AT	RR	MRZ	RL	PS	Total (acres)
Prime Farmland	35.5	0.4	0.1	44.9	1.8	82.8
Farmland of Statewide Importance	21.9	0.1	--	71.2	1.1	94.3
Unique Farmland	132.5	0.9	--	--	--	133.4
Total	189.9	1.4	0.1	116.1	2.9	310.5

Source: AECOM 2012, using data from FMMP 2010

The Land Use Diagram includes 310.5 acres of Farmland in AT, RR, RL, PS, and MRZ designations. For the purposes of the analysis, this EIR conservatively assumes that implementation of the Draft General Plan could result in the conversion of all 310.5 acres to nonagricultural uses. Based on the Amador County Important Farmland map, published by CDC’s Division of Land Resource Protection, Amador County had 7,967 acres of Farmland in 2010 (Table 4.2-2). The conversion of 310.5 acres of Farmland would represent 3.9 percent of the Farmland in Amador County.

Policies in the Draft General Plan would direct future development away from Farmland, protect agricultural land, discourage the extension of city spheres of influence into areas of Important Farmland, and ensure infrastructure improvements into areas of Important Farmland include conditions to avoid inducing urban growth. However, the conversion of Farmland to nonagricultural uses in the planning area could occur through residential development, lot splits, and mining activities thereby contributing to the incremental decline of Important Farmland in the County, region, and state, and result in the irreversible conversion of this agricultural land. Therefore, this impact would be **significant**.

Mitigation Measure 4.2-1a: Implement Program P-11, Farmland

- a. It is the County’s objective to maintain key farmlands for agricultural and agritourism uses, and reduce impacts related to conversion of Farmland (Prime Farmland, Farmland of Local or Statewide Importance, and Unique Farmland) to other uses. The County will seek to keep Farmland in agricultural designations when land use or zoning changes are proposed in the unincorporated area. For future changes to non-agricultural designations that affect Farmland areas, the County will reduce or avoid loss of Farmland to the extent feasible.
- b. The County will also work with cities and LAFCO to promote the protection of Farmland, including identifying alternatives to expansion of spheres of influence into areas of Farmland.

Responsible Agencies/Departments: Planning Department

Working with: Amador LAFCO, cities

Time Frame: Ongoing

Mitigation Measure 4.2-1b: Implement Program D-1a(9), Development Proposal Evaluation

The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- The presence of Farmland, proximity of development to working farms, and other effects on agricultural resources. Where the potential for conflicts exist that could adversely affect the operations of working farms, the County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping, and building orientation), as appropriate, to substantially reduce or avoid impacts to agriculture from encroachment by other conflicting land uses. Include conditions (such as sizing of facilities or service area boundaries) for proposals which would require infrastructure improvements into areas of Farmland to avoid inducing urban growth.

Responsible Agencies/Departments: Planning Department

Time Frame: Ongoing

Mitigation Measure 4.2-1c: Implement Agricultural Land Conversion Easements

In order to reduce the loss of Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) through conversion to non-agricultural uses, the County shall require that when granting discretionary approvals or permits, the applicant shall purchase an agricultural conservation easement to mitigate for the loss of Farmland exceeding 5 acres, to be granted in perpetuity. The easement should be purchased for equivalent value Farmland in Amador County at a minimum acreage ratio of 1:1.

Responsible Agencies/Departments: Planning Department

Time Frame: Ongoing

Significance after Mitigation

Implementation of Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c would reduce impacts related to the conversion of Farmland to non-agricultural use because the County will seek to reduce or avoid conversion of Farmland to the extent feasible, including through evaluation of projects to use site planning techniques to avoid impacts related to encroachment by other land uses. The County will also condition projects to ensure that residential development is compatible with surrounding agricultural activities. The County will also reduce the cumulative loss of Farmland by requiring that one acre of Farmland be protected through conservation easements for each acre of Farmland that is permanently removed from agricultural use. However, because no new Farmland would be created, and the productivity of existing Farmland would not be improved as a result of implementing Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c, full compensation for losses of Farmland would not be achieved and a net loss of Farmland could still occur. No additional feasible mitigation is available to reduce this impact to a less-than-significant level. This impact would remain **significant and unavoidable**.

Comments on the NOP from the Foothill Conservancy suggested that the EIR consider 3:1 mitigation for agricultural land conversion. This mitigation measure was not included in the Draft EIR because the 1:1 mitigation proposed in Mitigation Measure 4.2-1c, together with Mitigation Measures 4.2-1a and 1b, substantially reduce Farmland conversion impacts, and because a net loss of Farmland would occur even with 3:1 mitigation. In addition, 3:1 mitigation may be economically infeasible for project applicants to implement, as evidenced by the fact that no other California jurisdiction imposes a uniform 3:1 mitigation ratio for agricultural land conversion.

IMPACT 4.2-2 **Substantially conflict with Existing Williamson Act Contracts.** *Under the Draft General Plan, future development of residential uses or lot splits within the AT (Agricultural Transition) land use designations could conflict with existing Williamson Act contracts or result in the cancellation of such contracts, potentially resulting in loss or conversion of Farmland. However, this would only represent a tiny fraction of the more than 93,000 acres of land under Williamson Act contracts in the County. This impact would be **less than significant**.*

Amador County had more than 93,000 acres of land under Williamson Act contracts in 2009. The vast majority of these contracts are for parcels that are in either the AG (Agricultural General) or MRZ (Mineral Resource Zone) designations, which have a 40-acre minimum lot size and do not conflict with the Williamson Act. Implementation of the Draft General Plan would allow future development of residential uses or lot splits within the AT (Agricultural Transition) land use designations, which could potentially conflict with existing Williamson Act contracts, or result in the cancellation of such contracts, due to the potential for subdivision to parcels of less than 40 acres. This conflict could indirectly lead to the conversion of Farmland to non-agricultural use.

There are 162.1 acres of land under active Williamson Act contracts in areas designated AT by the Draft General Plan. This total includes some parcels less than 10 acres in size, which would not be subject to additional division under the AT designation. There are three larger parcels (approximately 14 acres, 57 acres, and 87 acres) designated AT under Williamson Act contracts. These parcels include an approximately 14-acre parcel (APN 008-250-010) that is part of a larger holding in the Williamson Act, an approximately 87-acre parcel (APN 036-010-039) which is on a dead-end road and could not be subdivided without additional access being provided, and an approximately 57-acre parcel (APN 015-170-074) that is surrounded on three sides by smaller parcels also in the AT designation.

Although two of these parcels, totaling approximately 71 acres, could potentially be subdivided and developed with residential uses, changes which would require the nonrenewal or cancellation of Williamson Act contracts, this represents a tiny fraction of the more than 93,000 acres of land under Williamson Act contracts in the County. Potential indirect impacts related to conversion of Farmland and land use conflict are analyzed in Impacts 4.2-1 and 4.2-3. Direct environmental impacts associated with conflict with existing Williamson Act contracts would be **less than significant** because there would be no substantial conflicts.

Mitigation Measure: No mitigation is required.

IMPACT 4.2-3 **Land Use Conflicts with Existing Agricultural Uses.** *Implementation of the Draft General Plan would result in changes to the physical environment which could result in conflicts with agricultural uses. These conflicts could impair agricultural activities and potentially cause conversion of agricultural lands to other uses. This impact would be **significant**.*

Implementation of the Draft General Plan would allow future development of residential uses in many land use designations throughout the planning area, particularly in the Town Centers (TCs), Regional Service Center (RSC), Specific Plan Areas (SPAs), Rural Residential (RR), Residential-Low (RL), and Residential-Medium (RM) designations. Residential uses on parcels of 5 acres or less are generally incompatible with agricultural operations because of domestic animals and the increased potential for the spread of noxious weeds. Interfaces between agricultural uses and other incompatible uses can result in the potential for conflicts between agricultural

practices and adjacent landowners. Agricultural operations may create risks and nuisances for residences and businesses. Conversely, incompatible land uses and the associated population create operational difficulties for agriculture. Health risks and nuisances potentially created by agricultural operations in the project area include, but are not limited to, exposure to pesticide and herbicide applications, exposure to dust (from soil preparation), exposure to noise (from machinery and trucks), and exposure to mosquitoes breeding in irrigation ditches or ponds.

The efforts of future residents to reduce potential risks and nuisances emanating from surrounding agricultural areas could become a constraint on agricultural operations. These constraints could result in increasing operational costs, phasing out of crops, and moving operations that create nuisances for adjacent areas. Over time, these conflicts could lead to the abandonment of agricultural operations adjacent to incompatible uses and could potentially result in the ultimate conversion of Farmland to non-agricultural land uses.

The County's Agricultural Lands and Operations ordinance (Chapter 19.80) is intended to protect agricultural operations from encroaching incompatible development by advising new residents of the potential inconveniences created by agricultural operations and explaining that these inconveniences are acceptable customs and standards of such operations. Further, the Draft General Plan policies would require review of future development for compatibility with agricultural uses and encourage the use of setbacks and other site planning techniques to maintain a physical separation from agricultural lands.

Development in the planning area consistent with the Draft General Plan may increase land use conflicts and incompatibility between agricultural and other uses, including residential uses, in the County. Policies in the Draft General Plan, including the continued application of the Agricultural Lands and Operations ordinance, would address incompatibility issues between agricultural and urban/residential uses and continue to minimize the frequency of nuisance complaints. While these policies would reduce such conflicts, land use incompatibilities would likely continue. Therefore, this impact would be **significant**.

Mitigation Measure: Implement Mitigation Measures 4.2-1a, 4.2-1b, and 4.2-1c.

Significance after Mitigation

Implementation of Mitigation Measures 4.2-1a, 4.2-1b and 4.2-1c would reduce impacts related to conflict with agricultural uses by requiring use of setbacks and site planning techniques to buffer agricultural lands from incompatible uses and by reducing future zoning and land use changes that would affect Farmland. Implementation of these mitigation measures would substantially reduce potential conflicts, but not to a less-than-significant level. No additional feasible mitigation measures are available to reduce potential land use conflicts to a less-than-significant level. Therefore, this impact would remain **significant and unavoidable**.

Comments on the NOP from the Foothill Conservancy suggested that the EIR consider as a mitigation measure 200-foot setbacks for uses conflicting with agricultural uses. This mitigation measure was not included in the Draft EIR because Mitigation Measure 4.2-1b would substantially reduce potential conflicts with agricultural uses. Where the potential for conflicts exist that could adversely affect agricultural operations, the County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping, and building orientation), as appropriate, to substantially reduce or avoid impacts to agriculture from encroachment by other conflicting land uses.

IMPACT 4.2-4 Conflict with Forestland and Timberland Zoning. *Under the Draft General Plan, proposed land use designations would not conflict with zone districts permitting forest and timber uses such as timber harvesting, silviculture, and tree farming. This impact would be **less than significant**.*

The Amador County Zoning Code includes a number of zone districts which permit forest and timber uses. These districts include TPZ (which is applied to Timber Production Zone parcels and permits a variety of timber

production and timber harvesting uses), AG (which is applied to Williamson Act parcels and permits growing and harvesting of timber and Christmas trees), A (which permits logging and timber cutting with a use permit), R-1A (which permits uses such as tree farming and silviculture), and R1 and RE (which permit tree farming). The O-S zone district permits wildlife and botanical habitat management, and fire prevention fuel management.

Timber Production Zone lands in Amador County are all zoned “TPZ.” The only general plan land use designation that is compatible with the TPZ zone district is General Forest (GF). The Draft General Plan does not propose any land use changes which would place GF-designated lands in a different land use designation. There would be **no impact** related to conflict with TPZ zoning.

Implementation of the Draft General Plan would apply a full range of land use designations in forested areas. With the exception of the Industrial (I) designation, all of the proposed Draft General Plan land use designations would be compatible with one or more existing zoning districts that permit forest and timber uses.

The Draft General Plan does not apply the “I” land use designation in any new forest or timberland areas (the only new I area is along Michigan Bar Road west of Ione). Therefore, implementation of the Draft General Plan would not require new zoning changes precluding forest uses. Therefore, this impact would be **less than significant**.

Mitigation Measure: No mitigation measures are required.

IMPACT 4.2-5 **Result in Conversion of Forestland to Non-Forest Use.** *Implementation of the Draft General Plan would result in land use changes, including construction of new residential, commercial, and industrial uses which could directly and indirectly result in conversion of forestland to non-forest use. This impact would be **significant**.*

Based on 2010 data obtained from the USFS, approximately 218,823 acres of land within Amador County (approximately 55% of the County’s total land area) are forestland. CHWR data indicate 241,011 acres of forest habitats (approximately 62% of the County’s total land area). The majority of the County’s current zone districts permit one or more forest uses (ranging from tree farming and silviculture to logging and timber cutting). However, other factors, including the number, location, and distribution of new residential units, the construction of new commercial and industrial facilities, the development of new utilities and roads, and increased population density, could reduce the likelihood of continued or future forest uses in some areas of the County. This conversion could occur directly (through actual physical changes which remove land from forest use, including development of urban uses) or indirectly (through changes such as the introduction of new residents in forestlands or the construction of scattered residential units) which discourage or prevent some forest uses (especially timber harvesting) in surrounding forestlands.

Implementation of the Draft General Plan would directly result in the conversion of forestland to non-forest use through construction of new residential, commercial, and industrial facilities, along with roadways, utilities, and other improvements associated with these new, developed uses. By 2030, the Draft General Plan could result in construction of 1,685 additional residential units and approximately 3.9 million square feet of new commercial and industrial land uses. As noted above, more than half of the County’s total land area is forested, and although the precise locations in which these developed uses would be constructed cannot be specified at a program level, the presence of widespread forestland over more than half of the County means that clearing and conversion of the actual sites of buildings and improvements would result in a **direct, significant** impact from the conversion of forestland.

The proposed AT and RR land use designations have the greatest potential to cause indirect conversion of forestland. These designations have a one to five acre minimum lot size, small enough that the range of neighboring timber or forest uses could be constrained by concerns such as noise affecting residential neighbors. However, existing land use data provided by the Amador County Assessor’s office (and presented in Exhibit 4.2-4), indicate that, although the number of new residential uses which could be built in AT- and RR-

designated areas is large, the existing pattern of residential units in these land use designations already includes dispersed residences throughout these designated areas. The existing residential units (and residents) already preclude uses (such as timber harvesting) with noise, visual, or potential safety effects related to residential uses throughout AT and RR areas, and any additional indirect effect from new residential units would be marginal. The Draft General Plan land use map would apply several land use designations which have 40-acre minimum lot sizes, including Agricultural-General (AG), General Forest (GF), and Mineral Resource Zone (MRZ). Because these designations require larger parcels, additional residential units in these designations would not likely indirectly affect forest or timber uses on neighboring parcels. Indirect impacts related to conversion of forestlands would therefore be **less than significant**.

Mitigation Measure 4.2-5a: Implement Program P-10, Timber Production

- a. In order to reduce impacts related to conversion of forestland, timberland, and Timberland Production Zones (TPZ) to other uses, the County will seek to keep forestland and timberland in compatible land use designations and zone districts. The County will maintain land presently designated Open Forest or other general plan designations and zoned TPZ in those current general plan designations if a change would result in the conversion of existing forested lands.
- b. The County will continue to designate lands which are prime timberlands as Timber Production Zone areas. For lands so designated, the County will encourage responsible forestry and timber harvesting.
- c. The County will continue to encourage value-added activities (such as sawmills, cogeneration plants, timber-based manufacturing, and other uses) which contribute to the economic viability of timber production at appropriate locations.

Responsible Agencies/Departments: Planning Department

Time Frame: Ongoing

Mitigation Measure 4.2-5b: Implement Program D-1a(10), Development Proposal Evaluation

The County will review proposed projects for consistency with goals, policies, and implementation programs of this general plan.

Evaluation criteria for discretionary development proposals include:

- Proximity to and compatibility with forestland, timberland, and Timberland Production Zones. The County will work with the applicant to provide setbacks or use other site planning techniques (such as berms, fencing, landscaping and building orientation) in order to substantially reduce or avoid impacts to forestland, timberland, or Timberland Production Zones from encroachment by incompatible land uses.

Responsible Agencies/Departments: Planning Department.

Time Frame: Ongoing.

Significance after Mitigation

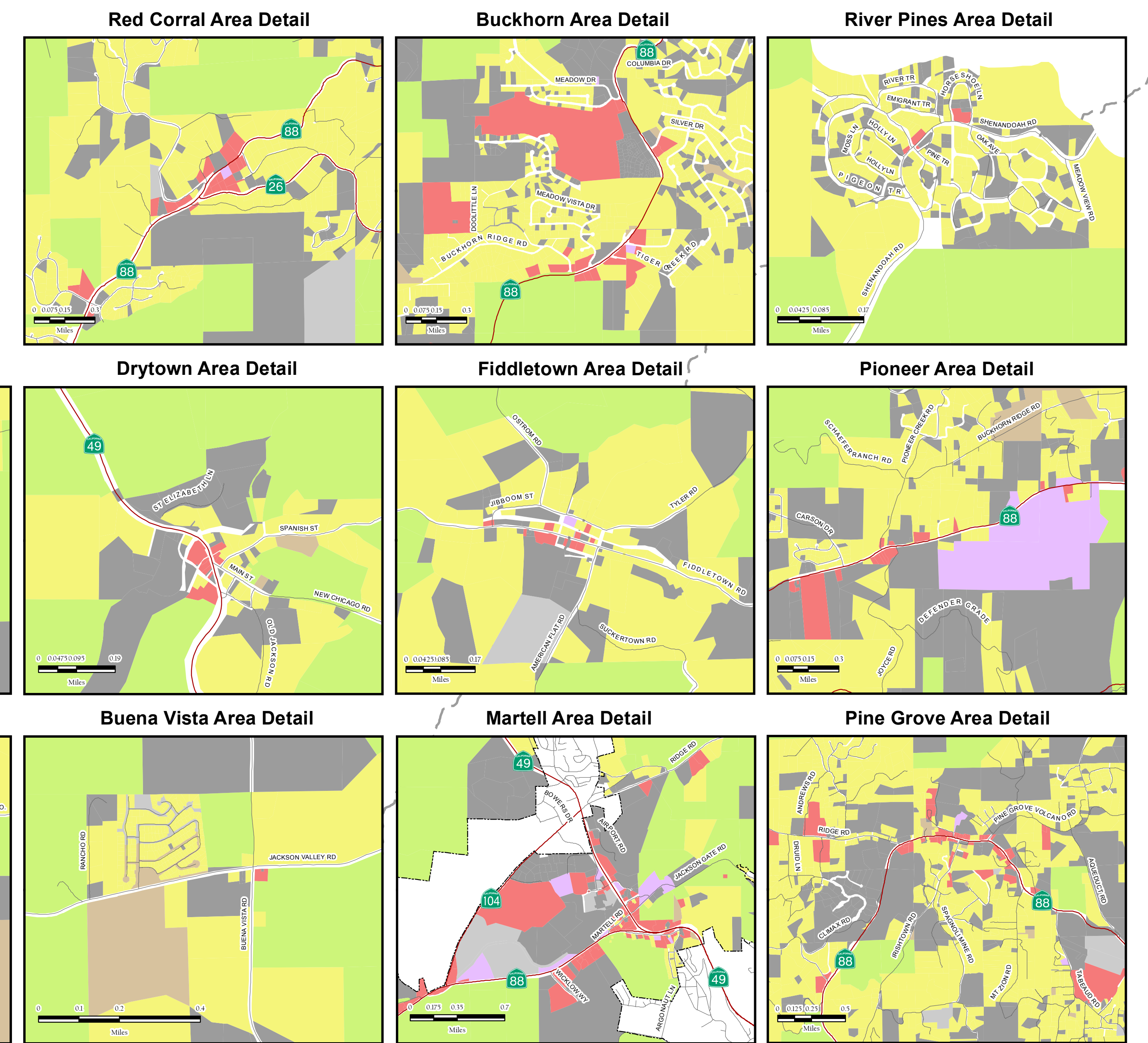
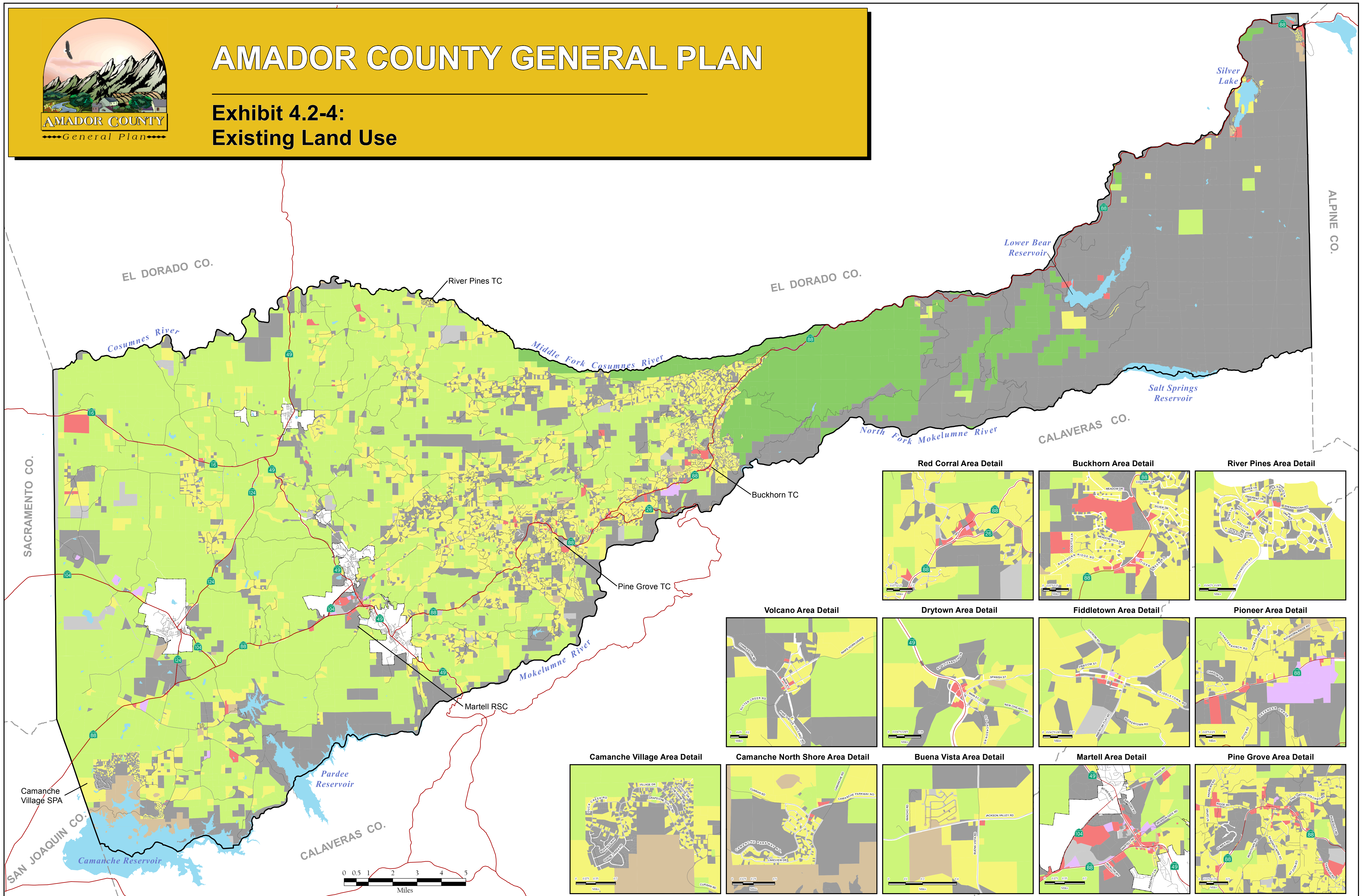
Implementation of Mitigation Measures 4.2-5a and 4.2-5b would substantially lessen potential conversion of timber- and forestland to non-forest use by keeping forestlands in compatible designations, and evaluating discretionary project proposals to reduce encroachment by incompatible uses into areas of timberland. However, conversions of timber- and forestland would still occur, and no additional feasible mitigation is available to reduce ~~potential urban/agricultural interface land use conflicts~~ this impact to a less-than-significant level. Therefore, this impact would remain **significant and unavoidable**.

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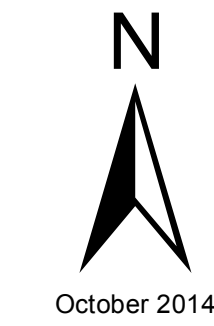
AMADOR COUNTY GENERAL PLAN

Exhibit 4.2-4: Existing Land Use



LEGEND

- | | | | |
|--------------|----------------------|--------------|------------------------|
| Agricultural | Miscellaneous | Vacant | City Limits |
| Commercial | Residential | Unclassified | Amador County Boundary |
| Industrial | Timber Preserve Zone | | Adjacent Counties |



October 2014



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